

**REMARKS**

In accordance with the foregoing, claims 11, 13-17, 22, 25, and 27-31 have been amended to improve clarity and antecedent support. Claims 11-38 are pending and under consideration.

**REJECTION UNDER DOUBLE PATENTING:**

In the Office Action, at page 2, claims 11-12 and 15-23 were rejected under the judicially created doctrine of provisional obviousness-type double patenting as being unpatentable over claims 1, 3, 15-17, 20-21, 23, 25, and 27 of copending application No. 09/337,253, parent application of the above-referenced application. Further, claims 13-14 and 24-38 were rejected under the judicially created doctrine of provisional obviousness-type double patenting as being unpatentable over claims 1, 3, 15-17, 20-21, 23, 25, and 27 of copending application No. 09/337,253 in view of U.S. Patent No. 6,038,366 to Ohno et al. Claims 11-38 were rejected under the judicially created doctrine of provisional obviousness-type double patenting as being unpatentable over claims 4-5, 7, 16-31, and 33-39 of copending application No. 9/610,380, divisional application of the above-referenced application. Applicants will address the provisional obviousness-type double patenting rejections once the pending rejections to the claims are resolved.

**REJECTION UNDER 35 U.S.C. § 102:**

In the Office Action, at page 17, claims 11-38 were rejected under 35 U.S.C. § 102 in view of U.S. Patent No. 6,038,366 to Ohno et al. ("Ohno"). This rejection is traversed and reconsideration is requested.

In particular, according to the Office Action, column 3, line 56, to column 4, line 7, Ohno anticipates the claimed elements of independent claim 11. The referred portion of Ohno discloses a tape map information signal 33 written at the 19-th line or 19H (where H represents the horizontal synchronizing pulse and thus "19H" represents the 19-th horizontal synchronizing pulse position) in each of the vertical blanking periods located immediately before the individual frames "1", "2", . . . of the video signal, as shown in FIGS. 4A to 4C. As the tape map information to be written in Ohno, there can be mentioned a start code (of 16 bits) written immediately before the frame "1," VTR manufacture number data (of 24 bits) written in the vertical blanking interval immediately before the frame "2," and a preceding half portion of the

vertical blanking interval immediately before the frame "3," a currently loaded tape ID number (of 8 bits) written in a succeeding half of the vertical blanking interval before the frame "3," a serial tape number (of 8 bits) written in a preceding half of the vertical blanking interval immediately before the frame "4" and tape species information (of 8 bits) written in a succeeding half of the vertical blanking interval before the frame "4."

Although Ohno does appear to mention VTR manufacture number data, a currently loaded tape ID number, and a serial tape number as tape map information, Ohno does not teach or suggest that the VTR manufacture number data comprises "an identification information of a manufacturer of a recording apparatus **that last recorded or modified the content of the recording medium,**" emphasis added, as recited in independent claim 11. Ohno recognizes that a problem of **erroneous recognition of a tape** can satisfactorily be coped with by using as **tape identification information** the manufacture number (i.e., the VTR manufacture number) of the magnetic recording/reproducing apparatus that was used for recording programs on the tape. See column 2, lines 30-37. However, Ohno does not recognize recording the identification code of the manufacturer "that last recorded or modified the content of the recording medium," as recited in independent claim 11.

One of the many benefits of the rewritable recording medium of the present application is that by including "manufacturer information to support a manufacturer's specific function, wherein the manufacturer information comprises an identification code of a manufacturer of a recording apparatus that last modified the content of the recording medium," the rewritable recording medium is capable of checking whether the manufacturer information is effective before using the manufacturer information made by a manufacturer when the recording medium is newly loaded into a recorder/player of the manufacturer. See page 2, lines 32-34 of the Specification of the present Application. Accordingly, Ohno fails to anticipate independent claim 11 and related dependent claim 12.

Referring to independent claim 13, as previously set forth, Ohno does not broach the claimed feature of "a method of recording/reproducing content . . . comprising: . . . an identification code of a manufacturer of a device which last modified the content of the recording medium," as recited in independent claim 13. According to the Office Action, column 6 of Ohno, lines 18-31, teaches the claimed features of independent claim 13. The referred portion of Ohno describes a control procedure where a preliminary play-back operation is carried out to read out tape map information recorded in a video signal. Specifically, the control

procedure checks whether the VTR manufacture number data as fetched from the tape coincides with the VTR manufacture number stored in the library memory 4 shown in FIG. 1. Unless coincidence is found, this control processing is terminated. The tape map information, as described by Ohno, concerns the contents of program(s) recorded on the loaded tape, temporal duration(s) of the program(s), and history of play-back of the tape. See abstract.

However, the tape map information does not include "an identification code of a manufacturer of a device which last modified the content of the recording medium," as recited in independent claim 13. Nowhere in the referred portion of Ohno, or anywhere else in the reference, is there a teaching or suggestion of the claimed features of independent claim 13. Specifically, Ohno fails to teach or suggest "verifying a coincidence of an identification code of a manufacturer of a device which last modified the content of the recording medium and the manufacturer identification code of the recording/reproducing apparatus to determine whether manufacturer specific information of the recording/reproducing apparatus is effective," as recited in independent claim 13. Accordingly, Ohno fails to anticipate independent claim 13 and related dependent claim 14.

Referring to independent claim 15, the Office Action refers to column 3, line 37, to column 4, line 28, of Ohno as teaching the claimed features of independent claim 30. The referred portion of Ohno appears to describe a library memory 4 including the manufacture number (i.e., the VTR manufacture number) of the magnetic recording/reproducing apparatus, the start code data, the currently loaded tape ID number data, the serial tape number data, and the tape species data. Further, data of a receiving channel of a tuner 1 and current data/time data are supplied to a tape map controller 5. However, Ohno is silent as to providing "modifying the content on the recording medium; and recording a manufacturer identification information of a recording apparatus indicating the manufacturer of the recording apparatus which last modified the content of the recording medium," as recited in independent claim 15. Rather, Ohno simply provides information about the magnetic recording/reproducing apparatus, as previously discussed.

Independent claim 28 recites, "a method of modifying content on a recording medium, comprising: recording on the recording medium a manufacturer identification code of a recording and reproducing apparatus indicating a manufacturer of the recording and reproducing apparatus that last modified the content of the recording medium; and reading the manufacturer identification information, determining whether the content is effective based upon whether the read manufacturer identification information matches that of the recording and

reproducing apparatus, and reading the content if the content is effective." According to the Office Action, column 3, line 37, to column 4, line 28, and column 6, lines 18-30, of Ohno describe the claimed features of independent claim 28. The descriptions provided in the referred portions of Ohno were provided above and are incorporated herein. Further, the arguments presented above supporting the patentability of independent claims 13 and 15 are incorporated herein to support the patentability of independent claim 28.

Independent claim 31 recites, "reading the manufacturer identification code of a manufacturer of an apparatus that last modified the content of the recording medium; and determining whether to read the content based upon the read manufacturer identification code." The arguments presented above supporting the patentability of independent claims 11 and 13 are incorporated herein to support the patentability of independent claim 31.

Accordingly, in view of the foregoing, Applicants respectfully assert that Ohno does not anticipate independent claims 11, 13, 15, 28, and 31 and related dependent claims. It is respectfully requested that the pending claims of the present application be allowed.

#### **CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance, which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Please AMEND claims 11, 13-17, 22, 25, and 27-31. The remaining claims are reprinted, as a convenience to the Examiner, as they presently stand before the U.S. Patent and Trademark Office.

11. (ONCE AMENDED) A method of recording and/or editing content, including audio, video, and/or information data, on a [rewritable recording] data storage medium, comprising:

recording an identification [code] information of a manufacturer of a recording apparatus that last recorded or modified the content of the recording medium [by performing recording/editing on the recording medium].

12. (UNAMENDED) The method of claim 11, further comprising:  
recording a product identification code of the recording apparatus of the manufacturer that last modified the content of the recording medium by performing recording/editing on the recording medium.

13. (ONCE AMENDED) A method of recording/reproducing content, including audio, video, and/or information data, on a rewritable recording medium with a recording/reproducing apparatus using manufacturer information recorded on the recording medium, comprising:

verifying a coincidence of an identification code of a manufacturer of a device which last modified the content of the recording medium and [the] a manufacturer identification code of the recording/reproducing apparatus to determine whether a manufacturer specific information of the recording/reproducing apparatus is effective.

14. (ONCE AMENDED) The method of claim 13, further comprising:  
verifying the coincidence of an identification code of a product that last modified the content of the recording medium and a product identification code of the recording/reproducing apparatus to determine whether [manufacture] the manufacturer specific information of the recording/reproducing apparatus is effective.

15. (ONCE AMENDED) A recording method of recording content on a rewritable

recording medium, comprising:

modifying the content on the recording medium; and  
recording a manufacturer identification [code] information of a recording apparatus indicating [the] a manufacturer of the recording apparatus which last modified the content of the recording medium.

16. (ONCE AMENDED) The recording method of claim 15, further comprising:  
recording a product information code indicating a product model of the recording apparatus that last modified the content of the recording medium [on the recording medium].

17. (ONCE AMENDED) The recording method of claim 16, further comprising:  
recording an operation code indicating information on an operation performed by the recording apparatus other than reproduction [on] of the content [on] of the recording medium.

18. (UNAMENDED) The recording method of claim 17, wherein the operation code information is compatible for a plurality of different manufacturers.

19. (UNAMENDED) The recording method of claim 15, further comprising:  
recording a manufacturer information item specific to the manufacturer of the recording apparatus, and a manufacturer code to indicate the manufacturer of the manufacturer information item.

20. (UNAMENDED) The recording method of claim 16, further comprising:  
recording a manufacturer information item specific to the manufacturer, a manufacturer code to indicate the manufacturer of the recording apparatus of the manufacturer information item, and a product code to indicate a product model of the recording apparatus of the manufacturer information item.

21. (UNAMENDED) The recording method of claim 20, further comprising:  
recording time information indicating a time when the manufacturer information item is recorded on the recording medium.

22. (ONCE AMENDED) The recording method of claim 20, further comprising:

recording the manufacturer code[s] and the product code[s] at a beginning part of the manufacturer information item.

23. (UNAMENDED) The recording method of claim 19, further comprising:  
recording a search pointer indicating a starting address of the manufacturer information item.

24. (UNAMENDED) The recording method of claim 19, further comprising:  
updating a number of total manufacturer information items recorded on the recording medium.

25. (ONCE AMENDED) The recording method of claim 24, further comprising:  
determining whether the number of total manufacturer information items exceeds a predetermined limit, and if so, deleting an oldest manufacturer information item stored on the recording medium.

26. (UNAMENDED) The recording method of claim 16, further comprising:  
recording a last address of manufacturer information which includes the manufacturer identification code and the product information code.

27. (ONCE AMENDED) The recording method of claim 17, further comprising:  
recording a last address of manufacturer information which includes the manufacturer identification [code] information, the product information code, and the operation code.

28. (ONCE AMENDED) A method of modifying content on a recording medium, comprising:

recording on the recording medium a manufacturer identification code of a recording and reproducing apparatus indicating a manufacturer of the recording and reproducing apparatus that last modified the content of the recording medium; and

reading [the] a manufacturer identification information, determining whether the content is effective based upon whether the read manufacturer identification information matches that of the recording and reproducing apparatus, and reading the content if the content is effective.



29. (ONCE AMENDED) The method of claim 28, further comprising:  
reading the content of the recording medium to determine whether the content is effective if the determination is that the read manufacturer identification information does not match that of the recording and reproducing apparatus, and reproducing the content read [content] if the content read [content] is determined to be effective.
30. (ONCE AMENDED) The method of claim 28, further comprising:  
updating only manufacturer information item specific to the manufacturer of the recording and reproducing apparatus, and not updating other manufacturer information items [already] recorded on the recording medium.
31. (ONCE AMENDED) A reproduction method of reproducing content from a recording medium on which a manufacturer identification code [of a manufacturer of an apparatus that last modified the content of the recording medium], the reproduction method comprising:  
reading the manufacturer identification code of a manufacturer of an apparatus that last modified the content of the recording medium; and  
determining whether to read the content based upon the read manufacturer identification code.
32. (UNAMENDED) The reproduction method of claim 31, wherein the recording medium has a product information code indicating a product model of the apparatus that last modified the content of the recording medium on the recording medium, the reproduction method further comprising:  
reading the product model; and  
determining whether to read the content based upon the read product model.
33. (UNAMENDED) The reproduction method of claim 31, wherein the recording medium has an operation code indicating information on an operation performed by the recording apparatus that last modified the content of the recording medium, the reproduction method further comprising:  
reading the operation code; and  
determining how to modify the content based upon the read operation code.

34. (UNAMENDED) The reproduction method of claim 32, wherein the recording medium has a manufacturer information item specific to the manufacturer, and a manufacturer code to indicate the manufacturer of the manufacturer information item, the reproduction method further comprising:

reading the manufacturer code; and

determining whether to read the manufacturer information item if the manufacturer code matches a code relating to the manufacturer of the reproducing apparatus.

35. (UNAMENDED) The reproduction method of claim 32, wherein the recording medium has a manufacturer information item specific to the manufacturer, a manufacturer code to indicate the manufacturer of the recording apparatus of the manufacturer information item, and a product code to indicate a product model of the recording apparatus of the manufacturer information item, the reproduction method further comprising:

reading the manufacturer code and the product code; and

determining whether to read the manufacturer information item if the manufacturer code matches a code relating to the manufacturer of the reproducing apparatus and the product code matches a code relating to the product model of the reproducing apparatus.

36. (UNAMENDED) The reproduction method of claim 35, wherein the recording medium has time information indicating a time when the manufacturer information item is recorded on the recording medium, the reproduction method further comprising:

reading the time information and processing the read time information.

37. (UNAMENDED) The reproduction method of claim 34, wherein the recording medium has a search pointer indicating a starting address of the manufacturer information item, the reproduction method further comprising:

reading the search pointer and then reading the manufacturer information item at the starting address thereof.

38. (UNAMENDED) The reproduction method of claim 31, further comprising:  
determining whether the read manufacturer identification code matches a code of a current reproducing apparatus relating to a manufacturer of the reproducing apparatus;

reading the content for reproduction if there is a match for reproduction of the content;  
reading the content if there is not the match for analyzing the content; and  
reproducing the content if there is the match or if the analysis indicates the content is  
reproducible by a current reproducing.